

have voted "yea" on rollcall vote 89 (Mr. KASICH's amendment to H.R. 3908), "nay" on rollcall vote 90 (Mr. WELDON's amendment to H.R. 3908), "yea" on rollcall vote 91 (Mr. STEARNS' amendment to H.R. 3908), "yea" on rollcall vote 92 (Mr. PAUL's amendment to H.R. 3908), "yea" on rollcall vote 93 (Mr. TANCREDI's amendment to H.R. 3908), "nay" on rollcall vote 94 (on motion to recommit with instructions), and "nay" on rollcall vote 95 (on passage of H.R. 3908).

ORGAN PROCUREMENT ORGANIZATION CERTIFICATION ACT

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. CAMP. Mr. Speaker, I rise today on behalf of myself and my colleagues, Representatives JOHNSON of Connecticut, PORTMAN, MATSUI, and PALLONE to introduce the Organ Procurement Organization Certification Act. This important legislation will improve the process that the Health Care Financing Administration (HCFA) uses to certify organ procurement organizations (OPOs).

Each day about 57 people receive an organ transplant, but another 13 people on the waiting list die because not enough organs are available. According to the United Network for Organ Sharing, there are now 68,220 patients in the United States on the waiting list for a transplant. April 16 through 22 is National Organ and Tissue Donor Awareness Week. Communities nationwide will be celebrating the critical importance of organ and tissue donation. First designated by Congress in 1983, this week is used to raise awareness of the critical need for organ and tissue donation and to encourage all Americans to share their decision to donate with their families so their wishes can be honored. This is especially important as the gap between the supply of organs and the growing number of transplant candidates continues to widen.

Next week, it is expected that the House will consider legislation dealing with organ allocation—this issue has been very controversial and certainly deserves our attention. But one of the most critical aspects of the organ transplant system gets very little attention. Organ Procurement Organizations—or OPOs—play a critical role in procuring and placing organs and are therefore key to our efforts to increase the number and quality organs available for transplant. The OPOs' job is to provide all of the services, within a geographic region, for coordinating the identification of potential donors, requests for donation, and recovery and transplant of organs. The professionals in the OPOs evaluate potential donors, discuss donation with family members, and arrange for the surgical removal of donated organs. They are the people that are responsible for preserving the organs and making arrangements for distribution within the national organ sharing policies. Finally, the OPOs provide information and education to medical professionals and the

I don't think that most people are aware of how significant these organizations are, or the

impact they have on these recipients' lives. There are currently 60 organ procurement organizations in the United States. Unfortunately, OPOs are suffering from what many other health care providers deal with on a regular basis—excessive regulations from HCFA.

Under current regulations, OPOs are subject to a recertification process every two years. Within that process, HCFA's current measures for certification are based on invalid assumptions. First, they assume that potential donors are equivalent per capita in each OPO service area. Harvard University and industry studies have demonstrated otherwise. Demographic and epidemiologic data have shown wide variations across the country in suicides, homicides, and gunshot wounds; in motor vehicle fatalities; and in HIV incidence and frequency. HCFA also assumes that potential donors die where they live. Recent data examining donors recovered with a home address outside of the OPO service area, however, show wide variations. None of these variations are adjusted by HCFA. HCFA also assumes that populations are accurately determined and assigned. We know, however, that there exist differential growth rates across the country with lags in reporting, and we know that census undercounts vary across the nation. HCFA frequently splits populations arbitrarily across counties as part of OPO service area assignments. None of these variations are adjusted for in the current measures. These are just a few of the problems. I'm not a statistician, but even I can see the inefficiencies in these measures.

For example, while Michigan ranks below the national average in its rate of recovery of vital organs, it is the single largest supplier in the country of human bone for transplantation. The processes for identifying potential donors and obtaining consent is virtually identical for human organs and for bone. Therefore, it cannot be an organization performance issue that causes Michigan to appear to be a poor performer in recovering vital organs.

To compound matters, every two years, these OPOs face decertification, and unlike other HCFA certification programs, there is no provision for corrective action plans to remedy a deficient performance and there is no appeals process for resolving conflicts. The current system forces OPOs to compete on the basis of an imperfect grading system, with no guarantee of an opportunity for a fair hearing based on their actual performance. This situation pressures many OPOs to focus on the certification process itself rather than on activities and methods to increase donation, undermining what should be the ultimate goal of the program. In addition, the two year cycle—which is shorter than any other certification program administered by HCFA—provides little opportunity to examine trends and even less incentive for OPOs to mount long term interventions.

The General Accounting Office, the Institute of Medicine, the Harvard School of Public Health and a host of others have criticized HCFA's use of the population based standard. HCFA has updated certification processes and increased the cycle of accreditation for Medicare Hospitals, Home Health Services, Ambulatory Surgery Centers, Long Term Care Organizations and Methadone Clinics—but they

have done nothing to change the certification process for OPOs, despite Congressional urging these changes.

We are introducing legislation that will accomplish three major objectives. First of all, it will impose a moratorium on the current recertification process for OPOs and the use of the population-based performance measurements. Under this bill, the certification of qualified OPOs will remain in place through January 1, 2000, for those OPOs that are certified as of January 1, 2000. Second, the bill requires the Secretary of Health and Human Services to promulgate new rules governing OPO recertification by January 1, 2002. These new rules are to rely on outcome and process performance measures based on evidence of organ donor potential. Finally, the bill provides for the filing and approval of a corrective action plan by an OPO that fails to meet the standards, a grace period to permit corrective action, an opportunity to appeal a decertification to the Secretary on substantive and procedural grounds and a four-year certification cycle.

It is my hope that through enacting this legislation, we can improve a system that touches hundreds of thousands of lives every year. I urge all of my colleagues to join us as co-sponsors.

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, my vote on final passage of H.R. 3908, the Emergency Supplemental Appropriations Act, was mistakenly recorded Thursday, March 30. I intended to vote "nay", as I had indicated throughout debate on the bill. An "aye" vote was recorded.

MOURNING THE PASSING OF ROBERTO L.G. LIZAMA

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. UNDERWOOD. Mr. Speaker, today I pay tribute and mourn the passing of Roberto L.G. Lizama. Tun Bob or Uncle Bob as he was affectionately known in the Chamorro community of the Washington, DC area had a distinguished military career and was a leader of the local Guam community. Eager to assist with any function, reliable for anyone in need of help, a winning smile and a kind word were all part of Uncle Bob's character. He was beloved by his family, the local Guam community and the thousands of Chamorros who have passed through Washington, DC over the past several decades.

Uncle Bob was born on April 21, 1927 in the prewar Guam village of Sumady. He had a typical upbringing on the ranch and he was willing to share many stories of his young life as a helper to his family on the ranch. His

adolescence was marked by a cruel enemy occupation of his homeland, but the experience only strengthened his character and did not alter his positive outlook on life. Almost immediately after the liberation of Guam by American forces and when he still was not a citizen of the United States, he joined the Navy.

As was the practice by the Navy in those days, he and other young men from Guam were not allowed access to all of the military rates. They were limited to service as mess attendants and stewards as were many African-Americans and Filipinos. This discriminatory practice was offensive and limited the upward mobility of many young men from Guam. But this did not diminish Uncle Bob's optimistic outlook on life and his own life chances. Last year, he and several other Chamorro men who served as stewards visited a memorial dedicated to the stewards who served during World War II. I accompanied them and I listened intently to their discussions and they recounted for me the nature of their experiences. Typical of Chamorro men, they endured the insulting treatment they sometimes received, but they continued to work loyally and proved themselves to be better men than many others through their hard work and labor.

Uncle Bob recounted some of his experiences, but not in a bitter manner. He simply told me about the times he had to defend his honor as a Chief, as a sailor and as a native of Guam. And he did so successfully as many others did. His 30 years naval career spanned three wars. He was a veteran of World War II, the Korean War and the Vietnam War. He served aboard ship and ashore in a number of capacities. The crowning glory of his career was his service to three Presidents as a cook at the White House. He served Presidents John Kennedy, Lyndon Johnson and Richard Nixon. It is hard to imagine that he prepared kelaguen and lumpia in the White House for the President, but he did. And all of Guam is proud of him for doing so.

He raised his family in Maryland. He and his wife for 51 years, Brigida Guzman Lizama, raised six sons: George, Robert, Stan, Jeff, Wayne, Eric. Together, they have five grandsons. The Lizama name will certainly survive. In his capacity as a community elder, Uncle Bob attended all of the social events and helped members of the community by lending a helping hand when needed and by cooking when necessary. We will all miss him. We extend our sincerest condolences to Auntie Bea and the Lizama men.

PERSONAL EXPLANATION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. EVERETT. Mr. Speaker, on March 28th and 29th, I was with my wife Barbara who underwent major surgery at John Hopkins University Hospital, and was unable to vote in favor of the Emergency Supplemental Appropriations bill for fiscal year 2000. I am pleased that this legislation was adopted by the House

to provide needed funds to restore critical national security readiness items that must be replenished, due to the military's high operating tempo in Kosovo and other contingency operations around the world.

Had I been present, I would have cast my vote accordingly: Roll 81—(Rule)—yes; roll 82—(Sanford Amendment)—no; roll 83—(Toomey Amendment)—yes; roll 84—(Obey Amendment)—no; roll 85—(Lewis Amendment)—yes; roll 86—(Ramstad Amendment)—no; roll 87—(Gilman Amendment)—yes; roll 88—(Fowler Amendment)—yes; roll 89—(Kasich Amendment)—yes; roll 90—(Weldon Amendment)—yes; roll 91—(Stearns Amendment)—yes; roll 92—(Paul Amendment)—no; roll 93—(Tancred Amendment)—yes; roll 94—(Motion to Recommit)—no; and roll 95—(Final Passage)—yes.

TRIBUTE TO MACON-BIBB COUNTY LEGISLATOR FRANK CHAPMAN PINKSTON, SR.

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. CHAMBLISS. Mr. Speaker, I want to pay tribute to a great American and Georgian, Frank Chapman Pinkston, Sr., who died Monday, March 27, 2000.

Mr. Pinkston was an inspiration to all of us. As a leader and public servant, he believed strongly in the citizens of Georgia and the meaning of loyalty. He worked hard every day to improve our communities and enhance the lives of our neighbors. He served the people of Georgia by giving 100 percent in every endeavor, placing his faith in God, his family, and his country. He will be greatly missed by the people of Georgia and his accomplishments will long be remembered.

Mr. Pinkston was born on February 9, 1923 in Ludowici, GA. He was married to the former Lucille Park Finney for 52 years and graduated from Mercer University and the Walter F. George School of Law, Mercer University in 1947. He was a veteran of the U.S. Army, serving from 1943–1946, serving in the European Theater and participating in the Allied Invasion of Normandy. Mr. Pinkston received five battle stars and was a retired Lieutenant Colonel, Judge Advocate General Corps. Since 1947, Mr. Pinkston had been an attorney, specializing in wills, trust and probate.

Elected to the Georgia House of Representatives in 1968, Mr. Pinkston served continuously in that body until 1992. He was Chairman of the Banks and Banking Committee from 1974 to 1992 and a member of the Rules, and Appropriations Committees. He rewrote Georgia's banking laws and shaped Southern regional banking. He was elected in 1992 as the Eighth Congressional District representative on the State Transportation Board and was re-elected to that position in 1995 and in January 2000. He served as Vice Chairman of the Board from April 1998 until April 1999 at which time he was elected as Chairman, a position he held until his death.

Mr. Pinkston was a member of Ingleside Baptist Church, serving on the Board of Direc-

tors of the Macon Rescue Mission, New Town Macon, and the Executive Committee of the Macon-Bibb County Road Improvement Program. He also served three terms on the Board of Trustees of Mercer University, The President's Council of Mercer University, the Boy Scouts of America, and the Middle Georgia Council on Drugs.

Mr. Pinkston received the Algernon Sydney Sullivan Award from Mercer University in 1987 and an honorary Doctor of Law Degree from Mercer University in 1997.

Mr. Speaker, I had the distinct pleasure of serving with Mr. Pinkston on many projects over the years. During his 24 years in public service, he helped lead the development of the Tom Hill Sr. Boulevard/Arkwright Road area, and several of Macon's museums. Mr. Pinkston's proudest achievement was establishment of the medical school at his alma mater, Mercer University. One of his many projects that, unfortunately, he was not able to see through to completion was the Fall Line Freeway.

Mr. Speaker, I hope that in honor of Mr. Pinkston and his many accomplishments in Georgia, local, State, and Federal legislators working on this project will name a portion of the Fall Line Freeway the Frank Pinkston Freeway. I believe this tribute would be a further reminder of his legacy.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Ms. GRANGER. Mr. Speaker, due to the severe weather which struck Fort Worth, Texas, last week, I was unable to be present for rollcall votes 81 through 95.

Had I been present, I would have voted: "Aye" on rollcall vote 81; "no" on rollcall vote 82; "aye" on rollcall vote 83; "no" on rollcall vote 84; "aye" on rollcall vote 85; "no" on rollcall vote 86; "aye" on rollcall vote 87; "aye" on rollcall vote 88; "no" on rollcall vote 89; "aye" on rollcall vote 90; "no" on rollcall vote 91; "no" on rollcall vote 92; "no" on rollcall vote 93; "no" on rollcall vote 94; and "aye" on rollcall vote 95.

MICROSOFT ANTITRUST VERDICT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2000

Mr. TOWNS. Mr. Speaker, America and the world are reacting to today's decision by U.S. District Judge Thomas Penfield Jackson that Microsoft, among other things, violated federal antitrust laws when it bundled its Internet browser and its Windows operating system. In particular, a lot of focus is being placed on the way the financial markets are reacting to this decision and its impact on consumers of technological goods and services.

I am not in a position at this point to comment on the Judge's decision or on who is to